

**Before the
Federal Communications Commission**

In the Matter of)	
)	
Restoring Internet Freedom)	WC Docket No. 17-108
)	
)	
)	
)	
)	
)	

North Dakota Startups & Entrepreneurs for Net Neutrality

July 11, 2017

Brandon Medenwald
Co-Founder
SIMPLY MADE APPS, INC.
505 Broadway N, Suite 203
Fargo, ND 58102

Nick Horob
President / Owner
HARVEST PROFITS, INC.
6439 Osgood Pkwy S
Fargo, ND 58104

Brady Nash
Owner/CEO
BNG Holdings Inc.
1405 Prairie Parkway, Ste C
West Fargo, ND 58078

Executive Summary

We are a group of tech startups and entrepreneurs from North Dakota.

We support a truly open Internet, and we rely on it for our business. The FCC's proposal would allow the creation of a two-tiered Internet, stifling our ability to compete with big, established incumbents. Allowing big cable and wireless companies to pick winners and losers in the market will not only harm our business, but the ability of any new entrants to enter the market to compete fairly with incumbents (including the cable and wireless companies themselves).

We urge the FCC to sustain the existing, strong net neutrality rules, based on Title II of the Communications Act. The FCC should maintain bright line rules against blocking, throttling, and paid prioritization on both fixed and mobile connections, as well as maintain ongoing oversight of other types of discrimination.

I. Who We Are and What We Do

We first want to introduce you to who we are.

Simply Made Apps is the creator of the digital in/out board software Simple In/Out. Simple In/Out provides access to their customer's data with apps for phones, tablets, desktops, televisions, and the web from anywhere in the world with internet access. Software made by Simply Made Apps is used by tens of thousands of users worldwide, yet the company was founded by only three people each contributing a mere \$100. The origin story of Simply Made Apps would not be possible without an open internet free of a pay-to-play fast lane.

Harvest Profit launched in 2016 and is a 100% employee owned company helping farmers make more profitable farm business decisions via farm management software. Harvest Profit's two-person team is poised to grow revenue by 400-500% in 2017 and will need to add employees to support that growth. An open internet is vital to their future and their plans to continue adding highly-skilled jobs in the state of North Dakota.

BNG Holdings Inc. is a Fargo-based company that develops payments software solutions which helps businesses automate manual functions related to collections, accounting, and merchant services. Currently, BNG has 42 employees and thousands of customers across North America. The founders of BNG started their company in their basement using the benefits of the internet to rapidly grow their business. The three owners at BNG began their company with no venture capital and bootstrapped their business while leveraging the open nature of the web. BNG firmly believes in the laws of Net Neutrality that keep the internet free and open while allowing businesses to share and access information without interference. Without Net Neutrality, BNG's growth would have been hindered and the ability to grow, create jobs, and serve their customers would not be possible.

II. The FCC Should Sustain Its Existing Strong Net Neutrality Rules and The Existing Legal Framework Under Title II

As the creators of online applications and services, we depend on an open Internet. We would not have existed without it, and, right now, we can compete and reach a worldwide audience, and succeed based on the quality of my application; big companies may have bigger marketing budgets than us, but ultimately any consumer can choose to use my app with the same broadband speeds they'd get for any other service. The FCC's proposal would open the door to a two-tiered Internet, however, where big companies' traffic would be put in a fast lane, while we're relegated to a slow lane.

The proposed approach under Title I would interfere with innovation, competition, and consumer choice online. Previous court rulings have said that an approach under Title I would preclude certain bright-line rules. Instead, the FCC is proposing a set of vague legal standards that would allow discrimination. Small companies like ours do not have the legal resources to address instances of discrimination, absent the existing bright line rules and authority for ongoing oversight. By the time the lengthy process of case-by-case review of anti-competitive behavior is complete, a startup like ours would simply not exist.

The FCC's existing framework works well. It should sustain its current approach under Title II; ban blocking, throttling, or paid prioritization of Internet traffic; and continue ongoing oversight of other discriminatory conduct.

Respectfully submitted,

Brandon Medenwald
Co-Founder
Simply Made Apps, Inc.

Nick Horob
President/Owner
Harvest Profit, Inc.

Brady Nash
Owner/CEO
BNG Holdings Inc.